The Global Initiative for Economic, Social, and Cultural Rights (GI-ESCR) welcomes the opportunity to contribute to the thematic report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change, to be presented at the 59th session of the Human Rights Council.

We commend the Special Rapporteur's efforts to analyse the human rights impacts of the fossil fuel-based economy using a life-cycle approach and to clarify the obligations of States and businesses in ensuring a just transition. This initiative is crucial in addressing systemic inequalities and the global environmental crises that drive persistent human rights violations.

In this submission, we emphasise the necessity of integrating a just transition framework that envisions the transformation of societies and economies towards sustainability. In particular, our submission will address the following key areas:

- **The human rights impacts of the fossil fuel-based economy**
- **The economic paradigm underlying the fossil fuel-based economy**
- **The necessary measures to rapidly and equitably phase-out of fossil fuels**
- **Feminist approaches for a just and equitable fossil fuel phase-out**

We look forward to contributing to this critical dialogue and supporting efforts to ensure that climate action and the phase-out of fossil fuels align with human rights principles, promoting equality, sustainability, and social justice.

The human rights impacts of the fossil fuel-based economy

The current energy paradigm that underpins the production, transmission, and consumption of energy—a key essential resource necessary to power our societies and economies—**is no longer fit for purpose**. **It is heavily reliant on fossil fuels** representing the main driver of the climate emergency that is putting in danger all conditions sustaining life on the planet. As several UN Special Rapporteurs have recognised, fossil fuels are **at the heart of the planetary ecological crisis**.[1]

[1] Mr. David Boyd, Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; Mr. Pedro Arrojo Agudo, Special Rapporteur on the human rights to safe drinking water and sanitation; Mr. Marcos A. Orellana, Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes; Mr. Livingstone Sewanyana, Independent Expert on the promotion of a democratic and equitable international order; Mr. Surya Deva, Special Rapporteur on the right to development: and Mr. Olivier De Schutter, Special Rapporteur on extreme poverty and human rights. *Fossil fuels at the heart of the planetary environmental crisis: UN Experts*. 2023. Available on 17 July 2024 at: https://www.ohchr.org/en/press-releases/2023/11/fossils-fuels-heart-planetary-environmental-crisis-un-experts

Fossil fuels—namely, coal, oil, and gas—currently account for over 80% of the global energy supply,[2] serving as the foundation of our existing energy infrastructure. **This dependency has created a climate emergency that threatens all conditions sustaining life on our planet.** The combustion of these fuels for energy production releases greenhouse gases into the atmosphere that are unequivocally the primary driver of climate change.[3]-Additionally, fossil fuels significantly contribute to local air pollution and other environmental impacts throughout their lifecycle, including during extraction, processing, transportation, and use.[4] For instance, fossil fuels are linked to biodiversity loss, toxic pollution, and water scarcity, leading to millions of premature deaths[5], forced displacements, and loss of livelihoods.

Beyond environmental degradation, **the fossil fuel economy perpetuates systemic human rights abuses throughout the entire energy value chain**. From the extraction of the minerals necessary to develop low-carbon technologies to the operation and construction of energy infrastructure to the transmission and final consumption of energy, the energy sector has failed to distribute fairly its costs and benefits and has historically reproduced harmful practices that result in human rights violations, including land grabbing, forced displacement, labour rights violations, and the exclusion of marginalised groups, such as women, Indigenous Peoples, and people with disabilities, among others. These impacts particularly affect those segments of the population already marginalised or in vulnerable situations who, due to structurally established inequalities and discrimination, have fewer resources, decision-making power and capabilities to cope with the degradation of their natural environment.

The inequitable distribution of energy access further demonstrates the fundamental injustice of the current system. The results of the fossil fuel-based energy paradigm are unacceptable: about 1 in 7, or 1.1 billion people across the world currently are energy poor and are unable to access safe, reliable, and sustainable energy services.[6] Roughly 2.1 billion people continue to rely on polluting solid fuels---such as

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[2] International Energy Agency. Energy Mix. 2021. Available at: https://www.iea.org/world/energy-mix

[3] Ibid

[4] Ibid

[5] Karn Vohra, Alina Vodonos, Joel Schwartz, Eloise A. Marais, Melissa P. Sulprizio, Loretta J. Mickley, *Global mortality from outdoor fine particle pollution generated by fossil fuel combustion: Results from GEOS-Chem*, Environmental Research, Volume 195, 2021,110754, ISSN 0013-9351, https://doi.org/10.1016/j.envres.2021.110754.

[6] Min, Brian et al. "Lost in the dark: A survey of energy poverty from space". Joule, Volume 8, Issue 7, 1982 – 1998. https://doi.org/10.1016/j.joule.2024.05.001.

kerosene, firewood, and biomass---for cooking, heating, and lighting.[7] This energy poverty exists alongside extreme consumption disparities, with the top 10% of income earners consuming around 20 times more energy than the bottom 10%.[8] **This stark disparity reflects and reinforces broader systemic inequalities that characterise our current economic paradigm.** The **ever-increasing energy demands of the highest consumers** are one of the main factors overshooting planetary boundaries, **while millions of people remain without good quality energy services** to ensure a life of dignity.

These conditions make fossil fuel energy systems directly responsible for abuses to the whole range of human rights internationally recognised, including the rights to life, adequate standard of living, work, education, health, and to a clean, healthy and sustainable environment.

The economic paradigm underlying the fossil fuel-based economy

The **human rights violations are not random** occurrences, **but rather the predictable outcomes of the economic paradigm behind the fossil-fuel-based economy, which prioritises continuous growth.** This not only has proven inadequate in addressing the environmental and social challenges of our time but also aggravates inequality and environmental degradation.[9] This **relentless pursuit of economic expansion leads to the overexploitation of natural resources and often aggravates social disparities** as the benefits and burdens are commonly unevenly distributed. The relentless drive for economic expansion reinforces systems of exploitation, where frequently the few reap the rewards at the expense of the many. Negative impacts of this model have been shown to disproportionately affect marginalised communities, especially those located in less affluent areas.[10]

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[7] World Bank Group, "Progress on Energy Access reverses for the first time in a decade", 2024, available on 27 February 2025 at: https://www.worldbank.org/en/news/press-release/2024/06/11/progress-on-basic-energy-access-reverses-for-first-time-in-a-decade; also see World Health Organisation, WHO publishes new global data on the use of clean and polluting fuels for cooking by fuel type, (2022), available on 27 February 2025 at. https://www.who.int/news/item/20-01-2022-who-publishes-new-global-data-on-the-use-of-clean-and-polluting-fuels-for-cooking-by-fuel-type

[8] Volodzkiene, Lina, and Dalia Streimikiene. 2023. "Energy Inequality Indicators: A Comprehensive Review for Exploring Ways to Reduce Inequality" *Energies* 16, no. 16: 6075. https://doi.org/10.3390/en16166075

[9] Fletcher, Charles, William J Ripple, Thomas Newsome, Phoebe Barnard, Kamanamaikalani Beamer, Aishwarya Behl, Jay Bowen, et al. "Earth at Risk: An Urgent Call to End the Age of Destruction and Forge a Just and Sustainable Future." Article. *PNAS Nexus* 3, no. 4 (2024). https://doi.org/10.1093/pnasnexus/pgae106

[10] Sultana, Farhana. "Whose Growth in Whose Planetary Boundaries? Decolonising Planetary Justice in the Anthropocene." *Geo: Geography and Environment* (2023). https://doi.org/10.1002/geo2.128

For example, the extraction processes associated with material use needed to increase economic output often led to severe environmental pressures disproportionately absorbed by marginalised communities, many located in developing countries.[11] This creates a self-reinforcing cycle: the growth-based economy demands ever-increasing energy consumption, which in turn requires more resource extraction and fossil fuel use, perpetuating human rights violations.

Trapped in these models of unequal exchange, **the growth imperative globally perpetuates a cycle of exploitation where resources and wealth flow disproportionately to the Global North, while the Global South and marginalised communities bear the brunt of environmental destruction, social inequities, and economic exclusion**. This further entrenches a system that prioritises profit over fairness, justice, and sustainability, which leaves little space for the creation of conditions of well-being. The stark inequalities in our energy system directly mirror these broader economic disparities. In this line, energy, which is a driver of well-being, is also concentrated and unequally distributed at the global level. In the UK, 20% of the population falls within the top 5% of global energy consumers, compared to 40% in Germany. In contrast, only 2% of China's population and 0.02% of India's are in this category.[12] At the same time, even within affluent countries, the increased costs of energy have pushed low-income sectors into energy poverty.[13]

Addressing these interconnected challenges requires both specific phase-out measures and a fundamental reimagining of our economic system. Beyond-growth approaches offer an alternative to growth hegemony by challenging the assumption that endless economic expansion is necessary for progress in all societies. Instead, it advocates for **a system that prioritises well-being, equity, and ecological sustainability over GDP growth.** This is especially applicable in the most affluent countries where the expansion of their economies has already produced enough resources to provide for conditions of wellbeing for all. In the context of energy transitions, beyond growth emphasises redistributing energy resources and ensuring that the burdens and benefits of the shift to renewable energy are fairly distributed.

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[11] Alarcón, Pedro. "Old and New Challenges of the Energy Transition: Insights from South America." *South African Journal of International Affairs* 30, no. 2 (2023). https://doi.org/10.1080/10220461.2023.2221227

[12] Oswald, Yannick, Anne Owen, and Julia K. Steinberger. "Large Inequality in International and Intranational Energy Footprints between Income Groups and across Consumption Categories." Article. *Nature Energy* 5, no. 3 (2020): 231–39. https://doi.org/10.1038/s41560-020-0579-8

[13] Guan, Yuru, Jin Yan, Yuli Shan, Yannan Zhou, Ye Hang, Ruoqi Li, Yu Liu, et al. "Burden of the Global Energy Price Crisis on Households." Article. *Nature Energy* 8, no. 3 (2023): 304–16. https://doi.org/10.1038/s41560-023-01209-8

The necessary measures to rapidly and equitably phase-out of fossil fuels

International human rights law establishes that the obligation of States to respect, protect and fulfil human rights entails the duty to take measures to prevent foreseeable harm caused by climate change.[14] **States must take immediate action to decarbonise their economies and equitably phase out fossil fuels to tackle the root causes of the global environmental crisis**. Mitigation measures must lead to absolute emission reductions and the phasing out of fossil fuels.[15] **These measures must directly address both the human rights impacts and the systemic economic issues of the still prevalent energy paradigm.**

It is crucial to swiftly transition to clean, renewable, and efficient energy sources, such as wind, solar, geothermal, and hydro-energy to replace fossil fuels in energy systems. **However, the shift to renewable energy should not just be a technical change from one energy source to another but rather a more profound transformation of energy systems to ensure that new low-carbon energies do not replicate the harmful practices of their fossil fuel predecessors.**

The risk of reproducing existing inequalities is particularly acute in the transition process itself. Transitioning to a low-carbon economy risks negatively affecting communities and individuals whose livelihoods and job opportunities still rely on fossil fuels. Women, children, persons with disabilities, indigenous populations, racialised individuals and other marginalised groups —the same groups most impacted by the current system— suffer more intensely the consequences of the reliance on fossil fuels and climate change. Therefore, it is crucial to ensure that the phasing out of fossil fuels is accompanied by measures that ensure the shift away from polluting energy sources is guided by principles of non-discrimination and equality and does not harm those already marginalised.

To break free from the growth-centred paradigm**, a transition to a low-carbon economy should ensure that these communities are specially protected and that the new low-carbon economies do not reproduce systemic inequalities, but rather help advance**

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[14] UN Office of the High Commissioner for Human Rights (OHCHR). *Five UN human rights treaty bodies issue a joint statement on human rights and climate change*. 2019. Available on 17 February 2025 at: Five UN human rights treaty bodies issue a joint statement on human rights and climate change. | OHCHR; UN Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW Committee). *General recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change*. CEDAW/C/GC/37. Paras. 14 and 43. UN Committee on Economic, Social and Cultural Rights (CESCR). *General comment No. 26 (2022) on land and economic, social and cultural rights*. E/C.12/GC/26. Para. 56. UN Committee on the Rights of the Child (CRC). *General comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change*. Para. 65(d).

[15] Ibid.

societies that ensure human and planetary wellbeing. This includes providing training and education for workers in the fossil fuel industries, preventing potential increases in the cost of living due to reduced reliance on fossil fuels, diversifying the economy away from fossil fuel-dependent industries, and reallocating fossil fuel subsidies towards climate action, gender-responsive public services, and robust social security systems.

The danger of perpetuating the same economic paradigm remains even in the transition to renewable sources of energy. In fact, renewable energy systems are not by default sustainable or democratic. There is a significant danger that a renewables-dominated system could follow the same path as previous industrial and energy transitions. **If renewable energy infrastructure is driven by the imperative of economic growth and projects are implemented without careful consideration of its social, environmental, and economic impacts, we could see patterns of resource exploitation and environmental degradation** like those seen with fossil fuels.

Large-scale renewable projects, such as hydroelectric dams or extensive wind farms, could displace local communities, disrupt ecosystems, or create inequitable access to energy, especially if they are developed without inclusive planning and governance frameworks. In fact, the development of many large-scale renewable energy projects has mirrored the extractive practices common to the fossil fuel industries, leading to land grabs and dispossessions that increase the vulnerability of marginalised communities. These projects represent aggressive infrastructural expansion. From Morocco[16] to Kenya,[17] and Scotland,[18] many areas see infrastructure conflicts around (mega) renewable energy projects from predatory renewable industries. Issues of extractivism and ethical supply chains also remain, to a large degree, unaddressed in the renewable energy sector.

Just as the current economic paradigm creates global inequities, **addressing these challenges associated with the transition to renewable energy requires global cooperation.** An equitable phase-out of fossil fuels can only be achieved **with developed countries delivering on their obligation to provide finance, technology and capacity building to developing countries** according to the principle of common but differentiated responsibilities and in with their human rights obligation to provide

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[16] Terrapon-Pfaff, Julia, Thomas Fink, Peter Viebahn, and El Mostafa Jamea. "Social Impacts of Large-Scale Solar Thermal Power Plants: Assessment Results for the NOORO I Power Plant in Morocco." *Renewable and Sustainable Energy Reviews* 113 (2019). https://doi.org/10.1016/j.rser.2019.109259

[17] Mariita, Nicholas O. "The Impact of Large-Scale Renewable Energy Development on the Poor: Environmental and Socio-Economic Impact of a Geothermal Power Plant on a Poor Rural Community in Kenya." *Energy Policy* 30, no. 11–12 (2002). https://doi.org/10.1016/S0301-4215(02)00063-0

[18] Okkonen, Lasse, and Olli Lehtonen. "Socio-Economic Impacts of Community Wind Power Projects in Northern Scotland." *Renewable Energy* 85 (2016). https://doi.org/10.1016/j.renene.2015.07.047

international assistance and cooperation to their maximum available resources to ensure the progressive realization of human rights. Current and historic responsibilities in the overuse of fossil fuels driving the climate emergency must be considered to help developing countries phase out fossil fuels.

Feminist approaches for a just and equitable fossil fuel phase-out

Feminist approaches offer a fundamental way of reimagining our energy systems away from fossil fuels. Feminist theory **emphasises the importance of including diverse voices in all aspects** of energy system design, development, exchange, and use, particularly those of women and marginalised communities who are often excluded from these processes.[19] Furthermore, **it provides a framework to invest in economies centred on care**, the **activities that sustain life in all its forms, and move away from polluting productive activities**. This inclusive approach directly addresses the systemic inequalities behind our current fossil-fuelled based energy paradigm.

Phasing out fossil fuels by replacing them with renewable energy systems, which can be small-scale and democratically owned, offers an opportunity for a new sustainable energy model that supports feminist and intersectional demands. In fact, several ambitious agendas have recently emerged to centre feminist, intersectional, and ecofeminist demands within climate policies.[20]

Feminist theories have been paying attention to existing power structures in the household, policy and other circles. Recognising that similarly **unequal power relations are also present in the energy system** which is driven by (and drives) productivist demands, **feminist approaches offer an alternative** to the fossil-fuel based and growth-centred paradigm. A feminist approach to the phase out of fossil fuels, in contrast, would, put **care at the centre and recognise its role in the organisation, management and delivery of energy**.

A holistic approach to the phase out of fossil fuels requires a comprehensive set of policies based on care. **Putting care at the centre of the transition implies organising the economy that shapes energy systems to ensure the provision of sufficient energy to cover the most important needs at the household and community levels**. This implies **articulating energy services to support** tasks involving domestic work, food production and other activities essential for **the sustainability of life above other economic and social priorities often exclusively centred on profit making**.

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[19] Hooks, B. (2000). *Feminism is for everybody: Passionate politics*. South End Press.

[20] See, for instance, the Principles – Feminist Agenda for a Green New Deal.

These principles translate into specific measures that address both the human rights impacts and economic inequities discussed earlier: stop investing in fossil fuel industries and infrastructure, removing fossil fuel subsidies, enhancing energy efficiency through strict regulations, setting limits on excessive energy consumption, and ensuring fair distribution of resources to support care systems. Enforcing stringent efficiency standards can push industries and households to adopt energy-saving technologies, while consumption limits, particularly for high-energy industries and affluent groups, can help redirect resources toward meeting the basic needs of underserved communities.

An energy system based on ideals of the ethics of care[21] will redefine both energy production and consumption in the household sphere and beyond. This redefinition provides a framework for implementing the phase-out measures necessary to tackle the climate emergency while **ensuring they promote just and equitable outcomes rather than perpetuating inequality**. In this line, a recent study,[22] identifies different facets of care that should underpin energy systems as follows:

- **Caring about**: acknowledging human energy needs, such as heating and cooking, alongside recognising the technical demands required for energy systems to operate effectively
- **Caring for**: taking responsibility to meet these needs while ensuring the reliability of the energy systems in place
- **Care-giving**: providing support to both individuals and systems based on the necessary skills and knowledge
- **Care-receiving**: assessing the quality of care provided to individuals, including evaluating the energy consumed for these services and ensuring the energy system functions properly while considering its environmental effects
- **Caring with**: promoting collaboration among various stakeholders in energy consumption and production to promote solidarity.

These principles of care directly address the systemic problems of our energy systems: they **counter the growth imperative, provide a framework for implementing just transition measures, and ensure that human rights and well-being remain central to energy system design**. A feminist energy perspective argues that there are many other ways to imagine and create new energy systems that support community well-being and prosperity, especially by centring care in energy policy development.

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[21] Gilligan, Carol. "Revisiting 'In a Different Voice'", *LEARNing Landscapes* 11, no. 2 (2018). https://doi.org/10.36510/learnland.v11i2.942

[22] Gram-Hanssen, Kirsten. "Beyond Energy Justice: Ethics of Care as a New Approach in the Energy System." *Energy Research and Social Science*, 2024. https://doi.org/10.1016/j.erss.2024.103470

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